



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,916	07/27/2004	Tsukasa Takagi	255204US2PCT	7494
22850 7590 03/13/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER COZART, JERMIE E	
			ART UNIT 3726	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		03/13/2007	ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/13/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

## Office Action Summary

Application No.

10/501,916

Applicant(s)

TAKAGI ET AL.

Examiner

Jermie Cozart

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 8-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/27/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 1-7 in the reply filed on 1/4/07 is acknowledged.

### ***Drawings***

2. Figure 23(a) and 23(b) should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Recycling code 100 as mentioned on page 40 of the specification in the second full paragraph is not shown in Figure 14. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

4. The disclosure is objected to because of the following informalities: On **page 53**, *line 24 and 25*, "each the room" is objected to because it is grammatically incorrect, therefore it is suggested to change "each the room" to - each of the rooms- .  
Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In **claim 1**, *lines 10-13*, it is unclear as to what is meant by and how the "display of the mark or symbol is a mark or symbol is a mark or symbol capable of separation into plural kinds of substance on which a cost burden is imposed and valuable substance after recovery". In **claim 2**, *lines 5-7*, it is unclear as to what is meant by "causing an obstacle to a run of a machine and a trouble component including a substance having a bad influence on environment". In **claim 7**, *lines 5-7*, it is unclear as to what is meant by "providing notification of arrival at scrapping time preset before scrapping during scrapping of the manually scrapped component". Appropriate correction is required.

Art Unit: 3726

7. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

8. Claim 1 recites the limitation "residual product" in line 8 of the claim. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 5 recites the limitation "the display" in line 10 of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2002-59149 (JP`149) in view of Applicant's Admitted Prior Art (AAPA).

Regarding claim 1, JP`149 discloses a recovery method for an electric appliance (i.e. information machines, television, printer, facsimile, electric washing machine). A mark or symbol (i.e. bar code label) are placed on the manually scrapped component capable of being disassembled by a tool or manually without disassembling or crushing by machine at the time of discard or recovery after, scrapping the manually scrapped component from a product (i.e. one of the electric appliance listed above) by a tool or manually before disassembling or crushing by machine at the time of discard or recovery after use. The mark or symbol is a symbol capable of separation into plural

kinds of substance on which a cost burden is imposed and valuable substance after recovery. *See paragraphs [0009]-[0014] for further clarification.*

Regarding **claim 2**, JP`149 discloses labeling all of the components and thereby it is inherent that a mark or symbol is attached to at least any of a trouble component damaging a crushing machine wherein a trouble component including a substance causing an obstacle to a run of a machine and a trouble component including a substance having a bad influence on environment, and it is also inherent that another mark or symbol is attached to any of a component including a substance having recovery value and a valuable recycled component. *See paragraphs [0049]-[0059] for further clarification.*

Regarding **claim 3**, JP`149 discloses that scrapping of a manually scrapped component to which a mark or symbol is displayed (i.e. on a display means) is scrapping of a component to specified scrapping order or a component within specified time. *See paragraphs [0061]-[0065] for further clarification.*

Regarding **claim 4**, JP`149 discloses that a position of a manually scrapped component or specified scrapping order or scrapping time in the case of scrapping the manually scrapped component to which a mark or a symbol is displayed are preset and also setting of this set position or order or time can be changed by communication means or input means (i.e. computer). *See paragraphs [0061]-[0065] for further clarification.*

Regarding **claim 5**, JP`149 discloses a recovery method of an electric appliance, comprising the steps of presetting and displaying plural kinds of manually scrapped components capable of being disassembled by a tool or manually without

Art Unit: 3726

disassembling or crushing by machine at the time of discard or recovery after use, scrapping the manually scrapped components from a product by a tool or manually before disassembling or crushing by machine at the time of discard or recovery after use, characterized in that the display is performed on a display device (i.e. display means) provided in an electric appliance by reading from storage means or receiving information from the outside through communication means. *See paragraphs [0061]-[0065] for further clarification.*

Regarding claim 6, JP`149 discloses a recovery method of an electric appliance, comprising the steps of displaying a manually scrapped component capable of being disassembled by a tool or manually without disassembling or crushing by machine at the time of discard or recovery after use on a preset display device, scrapping the manually scrapped component from a product by a tool or manually before disassembling or crushing by machine at the time of discard or recovery after use, and characterized in that setting of display of the display device can be changed by communication means or input means. *See paragraphs [0061]-[0065] for further clarification.*

JP`149, however, does not disclose crushing the residual product by machine after scrapping the manually scrapped component.

AAPA discloses at page 3 of the specification, that in a recycling center, partial separation is done by manually, and is often referred to as manual scrapping work which is a process that occurs before the work is put into a crushing machine in order to achieve mechanical separation of components.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to crush the residual product by machine after manually scrapping the manually scrapped component of JP`149, in order to achieve mechanical separation of the desired components.

12. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-37685 (JP`685) in view of Applicant's Admitted Prior Art (AAPA).

Regarding claim 1, JP`685 discloses a recovery method for an electric appliance (i.e. air conditioner). A mark or symbol (i.e. bar code label) are placed on the manually scrapped component capable of being disassembled by a tool or manually without disassembling or crushing by machine at the time of discard or recovery after, scrapping the manually scrapped component from a product (i.e. one of the electric appliance listed above) by a tool or manually before disassembling or crushing by machine at the time of discard or recovery after use. The mark or symbol is a symbol capable of separation into plural kinds of substance on which a cost burden is imposed and valuable substance after recovery. *See paragraphs [0006]-[0012] for further clarification.*

Regarding claim 7, JP`685 discloses a recovery method of an electric appliance, comprising the steps of setting time for scrapping a manually scrapped component capable of being disassembled by a tool or manually without disassembling or crushing by machine at the time of discard or recovery after use, providing notification of arrival at scrapping time preset before scrapping during scrapping of the manually scrapped component, and characterized in that setting of the scrapping time set can be changed by communication means or input means. *See paragraphs [0013]-[0039] for further clarification.*



JP'685, however, does not disclose crushing the residual product by machine after scrapping the manually scrapped component.

AAPA discloses at page 3 of the specification, that in a recycling center, partial separation is done by manually, and is often referred to as manual scrapping work which is a process that occurs before the work is put into a crushing machine in order to achieve mechanical separation of components.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to crush the residual product by machine after manually scrapping the manually scrapped component of JP'685, in order to achieve mechanical separation of the desired components.

### ***Conclusion***


13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermie Cozart whose telephone number is 571-272-4528. The examiner can normally be reached on Monday-Thursday, 7:30 am - 6:00 pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 3726

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JERMIE E. COZART  
PRIMARY EXAMINER

March 1, 2007